

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION - CINCINNATI

UNITED STATES OF AMERICA,	:	Case No. 1:19-cr-81
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
ANTHONY RATTINI, et al.,	:	
	:	
Defendants.	:	
	:	

ORDER GRANTING DEFENDANT SAMUEL R. BALLENGEE'S
MOTION TO CONTINUE (Doc. 131)

This matter is before the Court on Defendant Samuel R. Ballengee's Motion to Continue (Doc. 131). The Government has indicated that it does not oppose the Motion, and, similarly, none of the other defendants have indicated opposition. In support of his motion, Mr. Ballengee lists several reasons why he contends a continuance should be granted, some of which were raised during the Final Pretrial Conference. Of particular concern to the Court, and as highlighted by Mr. Ballengee, are two cases, *Ruan v. United States* and *Kahn v. United States*, which were recently accepted for review by the United States Supreme Court. The questions pending before the Supreme Court in these cases implicate issues likely involved in a trial of this matter. While the Court appreciates the importance of resolving the charge against Defendants through a trial by jury as expeditiously as possible, the Court cannot ignore the potential impact these cases may have on the matter before the Court, including potentially a retrial if the matter were to

go forward at this time. For these reasons, the Court finds Mr. Ballengee's Motion to be well-taken.

Accordingly, **IT IS ORDERED** that Defendant Samuel R. Ballengee's Motion to Continue (Doc. 131) be, and is hereby, **GRANTED**. Further, the telephonic status conference set for December 16, 2021 be, and is hereby, **VACATED**.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND